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PATENT  
MOBS:021 (11899.0021.NPUS00)  
38-65(52664)B

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### DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **IDENTIFICATION OF SEEDS OR PLANTS USING PHENOTYPIC MARKERS**, the Specification of which:

- ☐ is attached hereto.  
☒ was filed on **February 8, 2002** as Application Serial No. **10/071,272**.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, United States provisional application(s), or inventor's certificate listed below and have also identified below any foreign application for patent, United States provisional application, or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIORITY APPLICATION(S)			Priority Claimed
(Number)	(Country)	(Date Filed)	Yes/No
60/327,801	U.S.	October 9, 2001	Yes
60/267,551	U.S.	February 9, 2001	Yes

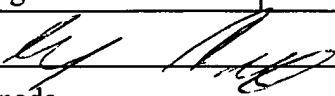
I hereby direct that all correspondence and telephone calls be addressed to Patricia Kammerer, Howrey Simon Arnold & White, LLP, 750 Bering Drive, Houston, Texas 77057-2198, (713) 787-1400.

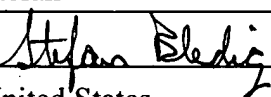
I HEREBY DECLARE THAT ALL STATEMENTS MADE OF MY OWN KNOWLEDGE ARE TRUE AND THAT ALL STATEMENTS MADE ON INFORMATION AND BELIEF ARE BELIEVED TO BE TRUE; AND FURTHER THAT THESE STATEMENTS WERE MADE WITH THE KNOWLEDGE THAT WILLFUL FALSE

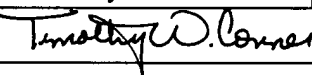
Inventorship change per paper 5

STATEMENTS AND THE LIKE SO MADE ARE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH, UNDER SECTION 1001 OF TITLE 18 OF THE UNITED STATES CODE AND THAT SUCH WILLFUL FALSE STATEMENTS MAY JEOPARDIZE THE VALIDITY OF THE APPLICATION OR ANY PATENT ISSUED THEREON.

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Inventor's Full Name:	Greg	A.	Penner
Inventor's Signature:			
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Post Office Address: (if different from above)			

Inventor's Full Name:	Stefan	A.	Bledig
Inventor's Signature:			
Country of Citizenship:	United States	Date:	5/8/02
Residence Address: (street, number, city, state, and/or country)	1908 Newburyport Road, Chesterfield, MO 63005 USA		
Post Office Address: (if different from above)			

Inventor's Full Name:	Timothy	W.	Conner
Inventor's Signature:			
Country of Citizenship:	United States	Date:	5/08/02
Residence Address: (street, number, city, state, and/or country)	989 Tara Oaks Drive, Chesterfield, MO 63005 USA		
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Greg A. Penner  
Stefan A. Bledig  
Timothy W. Conner



Group Art Unit: To be Assigned

Examiner: To be Assigned

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Serial No.: 10/071,272

Filed: February 8, 2002

Atty. Dkt. No.: MOBS:021  
11898.0021.NPUS00

For: IDENTIFICATION OF SEEDS OR  
PLANTS USING PHENOTYPIC  
MARKERS

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CORRESPONDENCE ADDRESS  
ELECTION UNDER 37 C.F.R. §§ 3.71 and 3.73  
AND POWER OF ATTORNEY

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Please direct all communications as follows:

Patricia A. Kammerer  
HOWREY SIMON ARNOLD & WHITE, LLP  
750 Bering Drive  
Houston, Texas 77057  
(713) 787-1400

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor(s).

The Assignee hereby revokes any previous Powers of Attorney and appoints:

T. K. Ball, Reg. No. 42,287; George R. Beck, Reg. No. 21,180; Gary M. Bond, Reg. No. 29,283; Grace L. Bonner, Reg. No. 32,963; Alissa M. Eagle, Reg. No. 37,126; Christopher E. Flick, Reg. No. 42538; Dennis R. Hoerner, Jr., Reg. No. 30,914; Thomas E. Kelley, Reg. No. 29,938; Lawrence M. Lavin, Jr., Reg. No. 30,768; E. Clifford Lawson, Reg. No. 46860; Thomas P. McBride, Reg. No. 32,706; Michael J. Roth, Reg. No. 29,342; Joseph A. Schaper, Reg. No. 30,493; Donna E. Scherer, Reg. No. 34,719;

HOWREY SIMON ARNOLD & WHITE, LLP

Brian K. Stierwalt, Reg. No. 33,213; and Martha J. Yates, Reg. No. 47,194, each an attorney or patent agent with MONSANTO COMPANY, so long as they remain with such company,

and

John F. Lynch, Reg. No. 22,504; J. Paul Williamson, Reg. No. 29,600; John D. Norris, Reg. No. 28,246; Patricia A. Kammerer, Reg. No. 29,775; Stephen H. Cagle, Reg. No. 26,445; Melinda L. Patterson, Reg. No. 33,062; Susan K. Knoll, Reg. No. 33,254; L. Gene Spears, Reg. No. 35,369; Janelle D. Waack, Reg. No. 36,300; Michael E. Lee, Reg. No. 38,949; Ira D. Finkelstein, Reg. No. 44,680; Carter J. White, Reg. No. 41,374, Darrell Dotson, Reg. No. 44,661; Connie Flores-Jones, Reg. No. 41,755; Matthew Madsen, Reg. No. 45,594; Christopher J. Buntel, Reg. No. 44,573; Robert Auerbach, Reg. No. 46,525; Raymond Reese, Reg. No. 47,891; and Amy G. Klann, Reg. No. 48,155; each an attorney or patent agent with the law firm of HOWREY SIMON ARNOLD & WHITE, LLP, as its attorney so long as they remain with such law firm,

with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to **MONSANTO TECHNOLOGY LLC** referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Pursuant to MPEP § 324(2), the undersigned avers that he is empowered to sign this statement on behalf of assignee.

ASSIGNEE: MONSANTO TECHNOLOGY LLC

Date: May 9, 2001 By: Grace L. Bonner  
Name: Grace L. Bonner  
Registration No. 32,963  
Title: Intellectual Property Counsel

ASSIGNMENT:

☒ Concurrently filed  
☐ Previously Recorded:  
Date: \_\_\_\_\_  
Reel: \_\_\_\_\_  
Frame: \_\_\_\_\_

HOWREY SIMON ARNOLD & WHITE, LLP